IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE FOURTEENTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 5031 of 2005

Between:

K. Indrasena Reddy S/o K. Sudarshan Reddy
R/o H. No. 5-105, Ghatkesar, Ranga Reddy District

..... PETITIONER

AND

The Competent Authority, Hyderabad Urban Development Authority, Paigah Place, Rasoolpura, Secunderabad

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ, order or direction more particularly one in the nature of Writ of mandamus declaring the impugned orders of the respondent vide file No. 1992/Mis/Plg/HUDA/05, dt 25-2-2005 is arbitrary, illegal, and violative of the principles of natural justice and set -aside the same.

Counsel for the Petitioner:MR.J.SOMASUNDARAM

Counsel for the Respondent: MR.B.VISWANATHA REDDY

The Court at the admission stage made the following :

ORDER:

The petitioner was served with a notice dated 25-02-2005 issued by the respondent under Section 42 of the Andhra Pradesh Urban Areas (Development) Act, 1975 calling upon the petitioner to explain as to why the constructions alleged to be made in deviation and violation of the sanctioned plan should not be removed and why prosecution should not be launched against him. The petitioner submitted an explanation on 28-02-2005 stating that all the allegations made in the said notice are incorrect and baseless. A copy of the said explanation shows that the same was received in the office of the respondent on 28-2-2005 itself. However, the petitioner alleges that the respondents are taking steps to demolish the constructions of the building without passing any final order on the explanation submitted by him,. Hence, the writ petition.

Having heard the learned counsel for the petitioner and the learned standing counsel appearing for the respondent, without expressing any opinion on merits, the writ petition is disposed of with a direction to the respondent to consider the explanation submitted by the petitioner dated 28-2-2005 and pass appropriate orders in accordance with law. Till such orders are passed, there shall be a direction to the respondent not to demolish the building of the petitioner bearing No. 1-15-1/3 situated in Sy.No.468 at Dr. A.S.Rao Nagar, Under Kapra Municipality, Ranga Reddy District. No costs.

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14-03-2005

To

1. The Competent Authority, Hyderabad Urban Development Authority, Paigah Place, Rasoolpura, Secunderabad
2. Two C.D. copies.

sj